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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,164	02/22/2002	Charles Abraham	GLBL/020	8383

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EXAMINER

ISSING, GREGORY C

ART UNIT	PAPER NUMBER
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3662

DATE MAILED: 09/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/081,164

Applicant(s)

ABRAHAM ET AL. *an*

Examiner

Gregory C. Issing

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other:

1. Claim 5 is objected to because of the following informalities: the language "claim 3a" should be "claim 3". Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 1-25 and 31-47 are rejected under 35 U.S.C. 102(b) as being anticipated by Taylor et al.

Taylor et al disclose a remote control station 12 that receives satellite tracking data from a master control station 18 and formats it and transmits it (Figure 2) to a remote receiver 14a-14c. The information includes almanac data information that describes the orbital elements for each satellite.

4. Claims 1-25 and 31-47 are rejected under 35 U.S.C. 102(a) as being anticipated by King et al.

King et al disclose the a method and apparatus for distributing satellite trajectory data to a mobile user 302 including a base station 302 that receives satellite ephemeris and clock

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correction information and formats it for transmission to the mobile user. The base station is described as having its own GPS receiver for determining the information or alternatively the information may be received at a mobile switching center 306 and transmitted to the base station.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 26-28 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor et al in view of Moore et al.

Taylor et al teach the subject matter substantially as claimed including a transmitter that transmits the information directly to the user, or via a tower or reference satellite to extend the range, but fails to show the transmission of the information from the remote control station via the internet. Moore et al teach that it is well known to provide satellite navigation services via downloading from the internet. It would have been obvious to one having ordinary skill in the art to further provide the remote control station with connections to the internet to provide the same information via a substantially equivalent communication link, particularly in view of the recent demand of such information and the world wide growth of the use of the internet.

7. Claims 26-30 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over King et al in view of Moore et al.

King et al teach the subject matter substantially as claimed including the communication of the satellite trajectory data from a base station via a wireless communication link such as a cellular link or a satellite link. King et al do not specify the use of an internet link, nor the

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control of the transmission during times of reduced cost or congestion. Moore et al teach that it is well known to provide satellite navigation services via downloading from the internet. It would have been obvious to one having ordinary skill in the art to further provide the base station with connections to the internet to act as a server to provide the same information via a substantially equivalent communication link, particularly in view of the recent demand of such information and the world wide growth of the use of the internet. Additionally, it would have been obvious to the skilled artisan for the base station to transmit the trajectory data during times of low cost so as to minimize the cost to the user or during times of low congestion to assure accurate information transfer due to reduced interference.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The publication "International GPS Service" exemplifies one of the numerous operations available that tracks GPS satellites worldwide, provides high quality orbit and tracking data, formats it and makes it available via on-line access. Official Notice is taken regarding the web pages of the U.S National Geodetic Survey (<http://www.navcen.uscg.gov/gps/precise>) (<http://www.ngs.noaa.gov/GPS/GPS.html>) which has been available since March 1993 and provides precise orbit information based on tracking data. McBurney et al disclose a method and apparatus for providing a navigation receiver with satellite almanac and ephemeris data via a TCP/IP communication link with a webserver that collects the satellite data from a plurality of satellites. Castelloe et al disclose a network for initializing a GPS receiver using a gateway that downloads and stores GPS satellite parameters, such as ephemeris, ionosphere correction, clock correction for each satellite, and broadcasts it to mobile terminals. Biacs et al disclose a server station that receives satellite tracking data from a

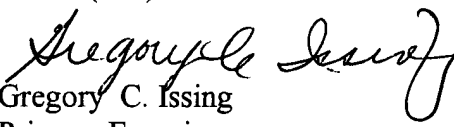
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plurality of reference stations and subsequently transmits via a TCP/IP protocol initialization data to a rover unit wherein the initialization data may include ionospheric data, satellite health data, almanac information, ephemeris information and UTC and GPS time information.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory C. Issing whose telephone number is (703)-306-4156. The examiner can normally be reached on Mon-Thurs 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Tarcza can be reached on (703)-306-4171. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-872-9326 for regular communications and (703) 872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.


Gregory C. Issing
Primary Examiner
Art Unit 3662

gci
September 10, 2002